
FIRE PREVENTION AND BUILDING SAFETY COMMISSION
Department of Homeland Security

Written Interpretation of the State Building Commissioner

Interpretation #: CEB-2022-47-2014 IBC-1103.1

Building or Fire Safety Law Interpreted

[675 IAC 13-2.6](#) 2014 Indiana Building Code Section 1103.1 Where required. Sites, buildings, structures, facilities, elements, and spaces, temporary or permanent, shall be *accessible* to persons with physical disabilities.

Issue

Whether Section 1103.1 of the *2014 Indiana Building Code* (IBC) requires a built-in automated device that serves as an interaction point with customers of a business to comply with the accessibility requirements of Chapter 11, including the accessible reach requirements of the *ICC/ANSI A117.1-2009 Standard*.

Interpretation of the State Building Commissioner

Yes, Section 1103.1 of the *2014 IBC* does require a built-in automated device that serves as an interaction point with customers of a business to comply with the accessibility requirements of Chapter 11, including the accessible reach requirements of the *ICC/ANSI A117.1-2009 Standard* if that automated device serves as the sole point of customer-business interaction.

Rationale

The purpose of the code's accessibility regulations is to provide equal access to a building and its functions for all the building's occupants. In pursuit of that goal, the code's basic stance is to require total accessibility and then name specific circumstances in which the requirement is waived. This is reflected in the ICC's *2012 International Building Code and Commentary* in the General Comments that serve as an introduction to Chapter 11. It states:

The fundamental philosophy of the code on the subject of accessibility is that everything is required to be accessible. This is reflected in the basic applicability requirement (see Section 1103.1). The code's scoping requirements then address the conditions under which accessibility is not required in terms of exceptions to this general mandate.

This point is further reinforced in the same publication's comments specific to Section 1103.1:

This section establishes the broad principal that all buildings, structures and their associated sites and facilities are required to be accessible to persons with physical disabilities. This would include anyone who utilizes a space, including occupants, employees, students, spectators, participants and visitors. The approach taken by the code on the subject of accessibility is to require all construction to be accessible and then provide for the acceptable level of inaccessibility that is reasonable and logical.

While the code assumes and proceeds from this "everything must be accessible" stance, it is important to understand the limits of the code's applicability in general. Aside from certain site requirements, its jurisdictional influence is typically limited to the building and its permanently constructed features and elements. Unless they are specifically addressed, loose furnishings and appliances are usually beyond the regulatory bounds of the building codes. The locations of the operating controls on a freestanding vending machine, for example, may be subject to other accessibility laws and regulations, but there is nothing in Chapter 11 of the *IBC* that governs them.

In the situation central to this interpretation request, automated devices have been provided in a customer lobby for unattended drop-off and retrieval of clothing at a dry cleaning establishment. From the information provided, it appears that the two devices, one for leaving clothing for cleaning and the other for retrieving it after cleaning, are built into the wall separating this automated customer lobby from the nonpublic part of the cleaner's facility. It also appears from the provided information that this is the sole means of customer service at this facility.

Two defining characteristics of the installation drive the requirement for these devices to be accessible. The first is that they are built into the structure. Because these devices are not free-standing pieces of equipment, they are more than a loose appliance or furnishing. In being part of the wall construction, they are a fixed element of the building design and construction, and as such, they fall within the regulatory reach of the IBC's accessibility scoping section 1103, as that section requires accessibility for all *elements*, and, in a broader sense, for all *facilities*. The second defining characteristic is that, from the provided project information, it appears that no other

accessible means of customer-business interaction is provided. If the devices are the only means of interaction for the customer, they must be accessible, which means the user-operated controls must fall within the range prescribed by the *ICC/ANSI A117.1-2009 Standard*. Otherwise, the goal of equal access for all customers has not been achieved.

Posted: 02/01/2023 by Legislative Services Agency
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